

## The Pike Committee Investigations and the CIA

Gerald K. Haines

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Gerald K. Haines is the Agency Historian at CIA. He also heads CIA's History Staff.

A storm broke over the CIA on 22 December 1974, when Seymour Hersh published a front-page article in *The New York Times* headlined “Huge C.I.A. Operation Reported in U.S. Against Anti-War Forces.” Hersh's article alleged that the Agency had been engaged in massive domestic spying activities.<sup>1</sup> His charges stunned the White House and Congress.

In response, President Ford established a blue-ribbon panel, the Rockefeller Commission, to investigate CIA activities in the United States. Ford later complicated the already-delicate issue further by hinting of CIA involvement in assassination attempts against foreign leaders. Congress soon launched its own investigation of the entire Intelligence Community (IC) and its possible abuses. On 27 January 1975, the US Senate established the Senate Select Committee to Study Government Operations With Respect to Intelligence Activities (the Church Committee). On 19 February 1975, the House voted to create a House Select Intelligence Committee (the Nedzi Committee, which was replaced five months later by the Pike Committee.)

These Congressional investigations eventually delved into all aspects of the CIA and the IC. For the first time in the Agency's history, CIA officials faced hostile Congressional committees bent on the exposure of abuses by intelligence agencies and on major reforms. In the Congress, there was no longer a consensus to support intelligence activities

blindly. The old Congressional seniority system and its leadership was giving way. With the investigations, the CIA also became a focal point in the ongoing battle between the Congress and the executive branch over foreign policy issues and the “imperial presidency.”

The investigations of the Pike Committee, headed by Democratic Representative Otis Pike of New York, paralleled those of the Church Committee, led by Idaho Senator Frank Church, also a Democrat. While the Church Committee centered its attention on the more sensational charges of illegal activities by the CIA and other components of the IC, the Pike Committee set about examining the CIA's effectiveness and its costs to taxpayers. Unfortunately, Representative Pike, the committee, and its staff never developed a cooperative working relationship with the Agency or the Ford administration.

The committee soon was at odds with the CIA and the White House over questions of access to documents and information and the declassification of materials. Relations between the Agency and the Pike Committee became confrontational. CIA officials came to detest the committee and its efforts at investigation. Many observers maintained moreover, that Representative Pike was seeking to use the committee hearings to enhance his senatorial ambitions, and the committee staff, almost entirely young and anti-establishment, clashed with Agency and White House officials.

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### The Nedzi Committee

Following the lead of the Ford administration with its Rockefeller Commission investigation and the US Senate with its Church Committee inquiry, the House of Representatives in 1975 established a special committee to investigate the activities of the IC.<sup>2</sup> On 16 January 1975, Democratic Representative Michael Harrington introduced a resolution in the House to create a select committee to conduct such an investigation. Even Democratic Representative Lucien Nedzi, Chairman of the Armed Services Subcommittee on Intelligence and a strong supporter of the Agency, concurred in the need for such a broadly representative committee. Republican Minority Leader John J. Rhodes also endorsed the proposal. Only a few members of the House questioned whether it was necessary to create such a committee in light of the Church Committee investigations in the Senate and the Rockefeller Commission investigation in the executive branch. On 19 February 1975, the House, by a vote of 286 to 120, passed House Resolution 138 creating a House Select Committee on Intelligence, the Nedzi Committee.

The committee consisted of seven Democrats and three Republicans. Because it was a select committee, the House leadership appointed the members. Unlike the Senate Committee, which was carefully balanced politically, Speaker of the House Carl Albert and Majority Leader Thomas P. O'Neill, Jr., chose to give the committee a liberal Democratic majority.<sup>3</sup> All Democratic members of the Nedzi Committee had strong negative feelings about the IC. Democratic Congressman Ron Dellums, for example, stated even before the creation of the committee that "I think this committee ought to come

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down hard and clear on the side of stopping any intelligence agency in this country from utilizing, corrupting, and prostituting the media, the church, and our educational system.”<sup>4</sup>

Albert and O'Neill selected Nedzi as committee chairman. Nedzi, a 14-year veteran of the House, also had strong liberal credentials. He had opposed the Vietnam war, the development of the B-1 bomber, and the antiballistic missile system. Since 1971, he had served as chairman of the House Armed Services Subcommittee on Intelligence. As chairman, Nedzi had conducted a thorough investigation into the CIA's role in Watergate.<sup>5</sup>

CIA officials found Nedzi to be a solid choice, but other Democrats in the House and on the committee had major reservations. Harrington especially felt Nedzi had been "co-opted" by his service as chairman of the subcommittee on intelligence. He asked, "How could he investigate himself?"<sup>6</sup>

The party ratio on the committee upset Rhodes and the other Republicans. Nevertheless, Rhodes appointed three ideologically conservative and strong supporters of the IC and the White House to the committee.<sup>7</sup> The 7-to-3 ideological division represented a broad spectrum of political thought from Dellums on the left to Republican Robert McClory on the right.<sup>8</sup>

Nedzi tried to set an agenda for the committee's investigations. He believed that the committee should focus on the Agency's "family jewels"—the list of abuses and possible illegal activities the Agency itself compiled in the early 1970s. On 5 June 1975, however, before the committee could meet to discuss its program, *The New York Times* published details of the "family jewels" and revealed that Director of Central Intelligence (DCI) William Colby had briefed Nedzi about them in 1973, when Nedzi was chairman of the Armed Services Subcommittee on Intelligence.<sup>9</sup> His fellow Democrats, led by Harrington, revolted. Nedzi resigned as chairman of the committee on 12 June 1975.

Harrington suspected that Nedzi's resignation was simply part of a plot to abolish the Select Committee and prevent a House investigation of the IC and the CIA.<sup>10</sup> Accordingly, on 13 June, with a rump caucus chaired by Representative James Stanton, the Democrats tried to hold a hearing on intelligence with Colby as the first witness. At Nedzi's urging, however, the Republicans refused to attend, thus preventing an official meeting. The committee investigation then ground to a halt.<sup>11</sup>

The circus-like atmosphere continued on 16 June, when the House rejected Nedzi's resignation by a vote of 290 to 64. But Nedzi refused to continue as chairman. On 17 July, the House abolished Nedzi's Select Committee and voted to establish a new Select Committee with Representative Pike as chairman.<sup>12</sup>

### The Pike Committee

The new committee did not differ greatly from the old one. Enlarged to

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13 members, the committee, led by Democrats, continued to provide a solid liberal Democratic majority even after it dropped Nedzi and Harrington from membership. Pike also retained Searle Field as chief of staff from the Nedzi Committee and brought in Aaron Donner from New York as his chief counsel. Despite the new start, the committee remained badly divided on ideological grounds. The majority was still hostile toward the CIA and the White House.<sup>13</sup> Pike, like Nedzi, would have no mandate to develop an effective investigation,<sup>14</sup> the expiration date for which was 31 January 1976.

Unlike the Church Committee, which had carefully balanced younger staff with Hill professionals and ex-IC members, the Pike Committee had a predominantly young staff with little experience either on the Hill or in the Intelligence Community.<sup>15</sup> This would cause major problems in dealing with the Agency and the White House.

### The CIA Reaction

Just as he had done with the Rockefeller Commission and the Church Committee, DCI Colby promised his full cooperation to the Pike Committee. Colby, accompanied by Special Counsel Mitchell Rogovin and Enno H. Knoche, Assistant to the Director, met with Pike and Congressman McClory, the ranking Republican on the committee, on 24 July 1975. At the meeting, Colby expressed his continuing belief that the committee would find that the main thrust of US intelligence was “good, solid, and trustworthy.”

Pike responded that he had no intention of destroying US intelligence. What he wanted, he told Colby, was to build public and Congressional

understanding and support for intelligence by “exposing” as much as possible of its nature without doing harm to proper intelligence activities. Pike related to Colby that he knew the investigation would cause “occasional conflict between us, but that a constructive approach by both sides should resolve it.” Privately, Pike indicated that he believed the Agency was a “rogue elephant” out of control, as Senator Church had charged publicly. It needed to be restrained and major reporting reforms initiated.

Colby, unaware of Pike’s private views, then sought an agreement with Pike and McClory on procedural matters much like the Agency had negotiated with the Church Committee. Colby outlined his responsibility for protecting sources and methods and the complexity posed in meeting “far-flung requests for all documents and files” relating to a given topic.

Pike would have none of Colby’s reasoning. He assured the DCI that the committee had its own security standards. He also refused to allow the CIA or the executive branch to stipulate the terms under which the committee would receive or review classified information. Pike insisted, moreover, that the committee had the authority to declassify intelligence documents unilaterally.<sup>16</sup> He appeared bent on asserting what he saw as the Constitutional prerogatives of the legislative branch over the executive branch, and the CIA was caught in the middle.

Given Pike’s position, the committee’s relationship with the Agency and the White House quickly deteriorated. It soon became open warfare.

Confrontation would be the key to CIA and White House relationships with the Pike Committee and its staff. Early on, Republican Representative James Johnson set the tone for the relationship when he told Seymour Bolten, chief of the CIA Review Staff, “You, the CIA, are the enemy.” Colby came to consider Pike a “jackass” and his staff “a rag-tag, immature and publicity-seeking group.”<sup>17</sup> Even Colby’s rather reserved counsel, Mitch Rogovin, saw Pike as “a real prickly guy...to deal with.” Rogovin believed Pike was not really wrong in his position. “He just made it so goddamn difficult. You also had to deal with Pike’s political ambitions.”<sup>18</sup>

The CIA Review Staff, which worked closely with both the Church Committee and Pike Committee staffs, never developed the same cooperative relationship with the Pike Committee staffers that it did with the Church Committee. The Review Staff pictured the Pike staffers as “flower children, very young and irresponsible and naïve.”

According to CIA officer Richard Lehman, the Pike Committee staffers were “absolutely convinced that they were dealing with the devil incarnate.” For Lehman, the Pike staff “came in loaded for bear.” Donald Gregg, the CIA officer responsible for coordinating Agency responses to the Pike Committee, remembered, “The months I spent with the Pike Committee made my tour in Vietnam seem like a picnic. I would vastly prefer to fight the Viet Cong than deal with a polemical investigation by a Congressional committee, which is what the Pike Committee

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[investigation] was.” An underlying problem was the large cultural gap between officers trained in the early years of the Cold War and the young staffers of the anti-Vietnam and civil rights movements of the late 1960s and early 1970s.

As for the White House, it viewed Pike as “unscrupulous and roguish.” Henry Kissinger, while appearing to cooperate with the committee, worked hard to undermine its investigations and to stonewall the release of documents to it.<sup>19</sup> Relations between the White House and the Pike Committee became worse as the investigations progressed. William Hyland, an assistant to Kissinger, found Pike “impossible.”

Pike and the committee members were just as frustrated. On 4 August 1975, Pike aired his frustration in a committee hearing. “What we have found thus far is a great deal of the language of cooperation and a great deal of the activity of noncooperation,” he announced.<sup>20</sup> Other committee members felt that trying to get information from the Agency or the White House was like “pulling teeth.”<sup>21</sup>

By September, the relationship was even worse. The CIA Review Staff found the Pike Committee requests for documents “silly” and the deadlines impossible to meet. For example, the committee on 22 September 1975 issued a request for “any and all documents” relating to a series of covert operations. At the bottom of the request it added it would like them “today, if possible.”

The final draft report of the Pike Committee reflected its sense of frustration with the Agency and the executive branch. Devoting an entire

section of the report to describing its experience, the committee characterized Agency and White House cooperation as “virtually nonexistent.” The report asserted that the executive branch practiced “footdragging, stonewalling, and deception” in response to committee requests for information. It told the committee only what it wanted the committee to know. It restricted the dissemination of the information and ducked penetrating questions.<sup>22</sup>

The Agency did not allow the draft Pike Report to go unchallenged. CIA officials believed that, to a great extent, the committee's troubles with regard to access were of its own making. Accountability was a two-way street and the committee staff was “self-righteous and blind,” according to Robert Chin, Associate Legislative Counsel. Searle Field did admit later that the committee had far more trouble with the State Department, the White House, and the Defense Department than it did with the Agency with regard to access to sensitive documents.

**Investigation of Intelligence  
Budget**

Pike himself set the agenda for the House investigations. Unlike the Church Committee and the Rockefeller Commission, which allowed their agendas to be determined by the

executive branch, Pike refused to get caught up in the sensationalism of the press charges of domestic abuses. Initially convinced that the IC was out of control, Pike focused his committee's investigations on the cost of US intelligence, its effectiveness, and who controlled it. In his first meeting with Colby on 24 July 1975, Pike indicated his committee would begin its investigation by concentrating on intelligence budgets. He told Colby he personally believed that knowledge of intelligence expenditures should be open and widespread.

Illustrative of just how quickly the relationship between the Agency and the Pike Committee turned sour was a sarcastic letter Pike addressed to Colby on 28 July 1975, only four days after their first meeting. In the letter, Pike informed the DCI that the committee would be investigating the IC's budget. Pike began the letter by stating, “First of all, it's a delight to receive two letters from you not stamped ‘Secret’ on every page.” Pike then criticized Colby's letters—which laid out the basic legislation establishing the National Security Council, the CIA, and the DCI and detailed the compartmentation issue in developing the atomic bomb and the U-2—as not “particularly pertinent to the present issue.”

Pike made it clear he was seeking information on the IC's budget. He wrote that he was not interested in history, sources and methods, or the names of agents. “I am seeking to obtain information on how much of the taxpayers' dollars you spend each year and the basic purposes for which it is spent,” he wrote Colby. He justified his focus on the budget by citing Article I, Section 9 of the

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Constitution: “No money shall be drawn from the Treasury but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of public money be published from time to time.” He then continued:

*I would assume that a reasonable place to look for that statement of account would be in the Budget of the United States Government and while it may be in there, I can't find it. I hope that Mr. Lynn [James Lynn, Director of the Office of Management and Budget] may be able to help me. The Index of the Budget for fiscal year 1976 under the "C's" moves from Center for Disease Control to Chamizal Settlement and to a little old country lawyer, it would seem to me that between those two might have been an appropriate place to find the CIA but it is not there. It's possibly in there somewhere but I submit that it is not there in the manner which the founding fathers intended and the Constitution requires.*

Pike seemed to believe that, “by following the dollars,” the committee could “locate activities and priorities of our intelligence services.” Accordingly, on 31 July 1975, the Pike Committee held its first hearing on the CIA budget. Elmer B. Staats, the Comptroller General of the General Accounting Office (GAO), was the first witness. Staats testified that the GAO had no idea how much money the CIA spent or whether its management of that money was effective or wasteful because his agency had no access to CIA budgetary information.<sup>23</sup>

When Colby appeared before the committee on 4 August, he refused to testify publicly on the intelligence budget. The next day, however, he appeared in executive session and outlined the expenditures of the Agency in some detail, stressing that the largest portion of the budget was justifiably devoted to the Soviet Union and to China, the primary US intelligence targets. Colby argued that revealing even the total of the CIA budget would do substantial harm to the US intelligence effort. According to Colby, it would enable foreign intelligence services to improve considerably their estimates of US capabilities. Turning the argument around, Colby reasoned that the US Government would benefit considerably from access to this same information concerning the Soviet intelligence effort. He then stated, “To the best of my knowledge, no other intelligence service in the world publicizes its intelligence budget.”

Colby further argued that public knowledge of CIA budget totals would not significantly increase the public's or Congress's ability to make judgments about CIA programs because, without greater detail and understanding of the programs themselves, no significant conclusions could be drawn. Rogovin and other CIA officials evidently believed Colby had presented a strong case before the committee for maintaining secrecy in the budgetary process. They thought he

had effectively deflected all major criticisms.

The CIA assessment was very different from the Pike Committee's. The Pike group's final report concluded that the foreign intelligence budget was three or four times larger than Congress had been told; that money appropriated for the IC was hidden throughout the entire Federal budget; that the total amount of funds expended on intelligence was extremely difficult to determine; and that Congressional and executive scrutiny of the budget ranged between “cursory and nonexistent.” The report described the GAO as the auditing arm of Congress, but, when it came to the intelligence agencies, especially the CIA, “it was no arm at all.”

The GAO was, the report found, prevented by security constraints from looking carefully into intelligence budgets. The end result, according to the report, was insufficient executive and legislative oversight. The committee also saw a “too cozy, almost inbred” relationship between the Office of Management and Budget officials and the intelligence budget makers.<sup>24</sup>

Taking on the issue of secrecy, the report argued that “taxpayers and most of Congress did not know and cannot find out how much they spend on spy activities.” The committee saw this as being in direct conflict with the Constitution, which required a regular and public accounting for all funds spent by the Federal Government.<sup>25</sup> The document then addressed Colby's argument that the Soviets would benefit enormously from disclosure. The report claimed that the Soviets probably already had a detailed account of US intelligence spending, far more than just the budget total. It

concluded that “in all likelihood, the only people who care to know and do not know these costs are the American taxpayers.”<sup>26</sup>

In addition, the report found that the DCI, who was nominally in charge of the entire Community budget, controlled only 15 percent of the total intelligence budget. The Secretary of Defense had much greater power and control over a greater portion of the intelligence budget than the DCI.<sup>27</sup>

When CIA officials reviewed the draft report, they took exception to the document as a distorted view of the budgetary process. Arguing against the disclosure of a budget figure for the IC, Agency officials felt that any disclosure “permits the camel to put his nose under the tent.” The general feeling among Agency officials was that the release would grossly misrepresent to the US public and to the world what was actually spent on intelligence by the United States. They reasoned that, if such gross estimates led to public pressures for reducing intelligence expenditures, it could do irreparable damage to real intelligence functions and their ability to support US foreign and defense policies. They also contended that if the report was released as is, it would give the public the erroneous impression that the CIA did not have thorough budget reviews. The official Agency position recommended deleting almost all the budget references from the report.

But the Agency’s comments and protests had little impact on the final report. As drafted, it recommended that all intelligence-related items be included as intelligence expenditures in the President’s budget, and that the total sum budgeted for each agency involved in intelligence be disclosed.

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If such an item was a portion of the budget of another agency or department, it should be identified separately. The report also recommended that the Congress draft appropriate legislation to prohibit any significant transfer of funds or significant expenditures of reserve or contingency funds in connection with intelligence activities without specific approval of the Congressional intelligence committees. In addition, the committee recommended that the GAO be empowered to conduct a full and complete management as well as financial audit of all intelligence agencies.<sup>28</sup> These clearly were not wild and crazy recommendations.

**Evaluating US Intelligence  
Performance**

The budget issue was only one major question raised by the Pike Committee. The committee also wanted to know just how effective the CIA and US intelligence had been over the past 10 years. This investigation also provoked a major confrontation between the Agency and the White House on the one hand and the Pike Committee on the other. On 9 September 1975, after submitting informal requests for information,

the Pike Committee formally requested “all CIA estimates, current intelligence reports and summaries, situation reports, and other pertinent documents” that related to the IC’s ability to predict “the 1973 Mideast war; the 1974 Cyprus crisis; the 1974 coup in Portugal; the 1974 nuclear explosion by India; the 1968 Tet offensive in Vietnam; the 1972 declarations of martial law in the Philippines and Korea; and the 1968 Soviet invasion of Czechoslovakia.” The committee, of course, wanted all of this by the next morning. The request outraged Agency officials.

House Select Committee hearings on the 1973 Middle East War began on 11 September. They almost immediately degenerated into open warfare with the executive branch. Pike, a firm believer that the classification system was strictly that of the executive branch and that his committee had the right to unilaterally declassify and release information, released part of a CIA summary of the situation in the Middle East prepared on 6 October 1973 that had seriously misjudged Egyptian and other Arab intentions. The CIA and the White House both objected, maintaining that the release compromised sources and national security. As released, the report read:

*The (deleted) large-scale mobilization exercise may be an effort to soothe internal problems as much as to improve military capabilities. Mobilization of some personnel, increased readiness of isolated units, and greater communications security are all assessed as part of the exercise routine.... There are still no military or political indicators of Egyptian intentions or preparation to resume hostilities with Israel.*<sup>29</sup>

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According to Agency officials and the White House, the release of the four words “and greater communications security” meant that the United States had the capability to monitor Egyptian communications systems. But the Agency and the White House were on shaky ground. Kissinger himself had leaked the same information to Marvin and Bernard Kalb for their book on Kissinger. Discussing the Yom Kippur war, the Kalb brothers wrote:

*Finally, from a secret US base in southern Iran, the National Security Agency, which specializes in electronic intelligence, picked up signals indicating that the Egyptians had set up a vastly more complicated field communications network than mere “maneuvers” warranted.<sup>30</sup>*

To add fuel to the fire, on 12 September 1975, Pike subpoenaed records relating to the Tet offensive in Vietnam in 1968. His action touched off a major (albeit short-lived) war between the Pike Committee and the White House. The CIA played a secondary role in this knock-down Constitutional struggle. On the same day, President Ford ordered that the Pike Committee be cut off from all access to classified documents and forbade administration officials from testifying before the committee.

Despite this action, each of the principals—the White House, the CIA, and the House of Representatives—sought a political compromise that would avoid a court test. The Pike Committee itself proposed to resolve the issue by giving the executive branch a 24-hour notice before

release of information in order to provide for consultation.

At a joint meeting at the White House on 26 September, Ford agreed to lift his order prohibiting the further release of classified materials to the Pike Committee. In return, Pike and McClory agreed on having the President be the ultimate judge in any future disputes over the public release of classified materials.<sup>31</sup>

The near war over the declassification issue detracted from the committee’s work of evaluating the overall performance of the IC. In general, however, the committee was critical of the performance of US intelligence in predicting the 1973 Mideast war; the 1968 Tet offensive in Vietnam; the 1974 coup in Cyprus; the 1974 coup in Portugal; the 1974 testing of a nuclear device by India; and the 1968 Soviet invasion of Czechoslovakia.<sup>32</sup>

For example, using the Agency’s own postmortems on the Yom Kippur war, the committee found that the “principal conclusions concerning

the commencement of hostilities...were—quite simply, obviously, and starkly—wrong.”<sup>33</sup> In earlier testimony before the committee, Colby admitted that, “We did not cover ourselves with glory. We predicted the day before the war broke out that it was not going to break out.”<sup>34</sup>

Despite Colby’s forthright assessment, the Agency reacted defensively to the draft report. Disregarding their own postmortems, which basically supported the committee’s findings, Agency officials fought to have most of the section on the Mideast war deleted. They argued that the section was unbalanced in its treatment of the war and that the parts which spoke of the Arab fighting units as inferior would “confirm Arab belief that the US view of them was degrading, thereby exacerbating relations.” They also worried that the report provided too much detail on the US capability to read Soviet traffic to Egypt. Unlike the give-and-take brokering that characterized CIA’s relations with the Church Committee, positions on both sides of the Pike Committee/Agency relationship tended to be uncompromising. Pike Committee staffers did remove names and sources, but they left in most of what the Agency objected to. They contended that to comply with the Agency recommendations would leave nothing.

### **The Committee Reviews Covert Actions**

The Agency, with close White House cooperation and support, continued its assault on the Pike Committee investigations and findings when the committee announced it would investigate 10 years of



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**—Rep. Otis Pike**

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covert action in general, as well as specific CIA actions with regard to the 1972 Italian elections, US covert aid to the Kurds in Iraq from 1972 to 1975, and US covert activities in Angola. Under orders from the White House, CIA officials refused to testify in open session before the committee on these operations, declaring that such hearings would only benefit foreign intelligence services.<sup>35</sup>

The committee instead heard from Congressman Michael Harrington and Harvard law professor Roger Fisher, both of whom called for the outlawing of all covert action; former National Security Adviser McGeorge Bundy, who opposed covert action in peacetime; and historian Arthur Schlesinger, Jr., who claimed that the CIA was indeed “a rogue elephant” and who suggested that the only remedy was to impose strict executive and legislative oversight and drastically cut the intelligence budget as the ways to curb covert actions.<sup>36</sup>

The committee followed these hearings with a detailed examination of the role of the National Security Council and the “40 Committee”, the major decisionmaking bodies when it came to covert action approval. The key question for the committee was whether the CIA was a “rogue elephant” or under strict control of the President and the executive branch.<sup>37</sup>

The committee found that covert actions “were irregularly approved, sloppily implemented, and, at times, had been forced on a reluctant CIA by the President and his national security advisers.” Except for assassination attempts, however, it did not

recommend abolition of all covert action; it merely called for tighter controls.

With tighter controls in mind, the committee recommended that the DCI notify it in writing with a detailed explanation of the nature, extent, purpose, and cost of all covert operations within 48 hours of initial implementation. It also proposed that the President certify in writing that such a covert action operation was required to protect the national security of the United States.<sup>38</sup>

The committee’s findings in this area were generally unexpected by CIA officers. These findings made clear the committee believed that the CIA was not out of control and that the Agency did not conduct operations without approval from higher authority. Pike himself stated publicly that “the CIA does not go galloping off conducting operations by itself.... The major things which are done are not done unilaterally by the CIA without approval from higher up the line.”<sup>39</sup>

The committee’s final report also made it clear that the committee did not believe the CIA was out of control. It stated, “All evidence in hand suggests that the CIA, far from being out of control, has been utterly responsive to the instructions of the President and the Assistant to the

President for National Security Affairs.”<sup>40</sup> Even Pike, who started out convinced that the CIA and the IC were indeed out of control, concluded:

*I wound up the hearings with a higher regard for the CIA than when I started. We did find evidence, upon evidence, upon evidence where the CIA said: “No, don’t do it.” The State Department or the White House said, “We’re going to do it.” The CIA was much more professional and had a far deeper reading on the down-the-road implications of some immediately popular act than the executive branch or administration officials. One thing I really disagreed with [Senator Frank] Church on was his characterization of the CIA as a “rogue elephant.” The CIA never did anything the White House didn’t want. Sometimes they didn’t want to do what they did.<sup>41</sup>*

## The Final Report

Determined to finish his work by 31 January 1976, Pike pushed his committee for a final report. Searle Field at first hired Stanley Bach, a political scientist with some Hill experience, to write a draft report. Working primarily from the transcripts of the committee’s hearings, Bach produced a rather balanced report not uncritical of the IC. The report called for the establishment of a joint intelligence oversight committee using the Joint Atomic Energy Committee as a model.<sup>42</sup>

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The solid  
recommendations the  
committee made . . . were  
overlooked in the  
commotion surrounding  
the leaking of the  
committee's report to  
the press.”

Pike rejected the draft and assigned the responsibility for producing a satisfactory final report to Field and Aaron Donner. By early January, they had a draft.

On 19 January, Field turned over a copy of the 338-page report for Agency review. He wanted it back by the close of business on 20 January. Rogovin responded with a scalding attack on the report. He criticized the extreme time constraints placed on the Agency in making its response and pictured the report as an “unrelenting indictment couched in biased, pejorative and factually erroneous terms.” For Rogovin and most of the Agency, the report focused almost exclusively on negative matters and totally lacked balance. It gave the American public a distorted view of US intelligence, thereby “severely limiting its impact, credibility, and the important work of your committee.”<sup>43</sup>

Despite Rogovin's protest, on 23 January 1976 the committee voted 9 to 7 along party lines to release its report with no substantial changes. The Republicans on the committee, strongly supported by the Agency and the White House, now led the fight to suppress the report.

At the same time, Colby, fearing that the report would be released, called a press conference to denounce the committee and called the committee report “totally biased and a disservice to our nation.” Colby claimed the report gave a thoroughly wrong impression of American intelligence.<sup>44</sup>

Unofficially supported by the Agency and the White House, McClory and the other Republicans

took the fight to suppress the report to the House floor on 26 January 1976. McClory argued that the release of the report would endanger the national security of the United States.<sup>45</sup> On the same day, *The New York Times* printed large sections of the draft report.<sup>46</sup>

On 29 January 1976, the House voted 246 to 124 to direct the Pike Committee not to release its report until it “has been certified by the President as not containing information which would adversely affect the intelligence activities of the CIA.”<sup>47</sup> Democratic Representative Wayne Hays seemed to reflect the basic feelings of the majority in the House when he commented just before the vote:

*I will probably vote not to release it, because I do not know what is in it. On the other hand, let me say it has been leaked page by page, sentence by sentence, paragraph by paragraph to The New York Times, but I suspect, and I do not know and this is what disturbs me, that when this report comes out it is going to be the biggest non-event since Brigitte Bardot, after 40 years and four husbands and numerous lovers, held a press conference to*

*announce that she was no longer a virgin.*<sup>48</sup>

Pike was bitter over the vote. He announced to the House, “The House just voted not to release a document it had not read. Our committee voted to release a document it had read.”<sup>49</sup> Pike was so upset that he threatened not to file a report at all with the House because “a report on the CIA in which the CIA would do the final rewrite would be a lie.”<sup>50</sup> Later, Pike reflected that “They, the White House, wanted to precensor our final report. This was unacceptable.”<sup>51</sup>

In an attempt to pacify Pike, McClory on 3 February made a motion in committee “that Speaker Carl Albert be asked to submit the final report to President Ford so that it might be sanitized and released.” The committee rejected this last effort at compromise by a vote of 7 to 4.<sup>52</sup> Journalist Daniel Schorr then gave a copy of the entire Pike Report to *The Village Voice*, which published it in full on 16 February 1976 under the title “The Report on the CIA that President Ford Doesn't Want You to Read.”<sup>53</sup> When Schorr admitted that he leaked the report to *The Village Voice*, the House voted to have its Committee on Standards of Official Conduct investigate the leak. After extensive inquiry, it failed to find out who leaked the report. So ended the House investigation of the IC.<sup>54</sup>

### The Committee Recommendations

The solid recommendations the Pike Committee made for improving Congressional and executive oversight of the IC and for strengthening the

DCI's command and control authorities were overlooked in the commotion surrounding the leaking of the committee's report to the press. In addition to its recommendations for prohibiting assassinations, opening the IC budget, allowing GAO audits of the CIA, and introducing stricter oversight of covert actions, the committee's number-one recommendation, like the Church Committee's, was the establishment of a Standing Committee on Intelligence. Unlike its Senate counterpart, the House committee would have jurisdiction over all legislation and oversight functions relating to all US agencies and departments engaged in foreign or domestic intelligence. It would have exclusive jurisdiction over budget authorization for all intelligence activities and for all covert actions.

The Pike Committee also proposed to vest this committee with subpoena power and the right to release any information or documents in its possession or control. Coupled with this last recommendation was an additional section that recommended criminal sanctions for the unauthorized disclosure of information tending to identify any US intelligence officer.<sup>55</sup>

All these reform recommendations were attempts to improve the organization, performance, and control of the IC without adversely affecting US intelligence capabilities. Yet, in the turmoil surrounding the controversy over whether to release the report, the recommendations were ignored, forgotten, or simply lumped in with the report as "outrageous and missing all the points." Not until July 1977 did the House vote to create a permanent House intelligence committee. Later, a reflective Pike

saw the leaks and fights over disclosure as "distracting from the committee findings."<sup>56</sup>

### Assessment

Despite its failures, the Pike Committee inquiry was a new and dramatic break with the past. It was the first significant House investigation of the IC since the creation of the CIA in 1947.

In the final analysis, both the CIA and the committee were caught up in the greater power struggle between the legislative and executive branches in which the Congress in the late 1970s tried to regain control over US intelligence activities and foreign policy. The investigations were part of this overall struggle. And the inquiry foreshadowed, although it was not clear at the time, that Congress would become much more of a consumer of the intelligence product.

### NOTES

1. Seymour Hersh, "Huge C.I.A. Operation Reported in U.S. Against Anti-War forces," *The New York Times*, 22 December 1974, p. 1.
2. Frank J. Smist, Jr., *Congress Oversees the United States Intelligence Community, 1947-1989* (Knoxville: University of Tennessee Press, 1990), p. 134.
3. *Congressional Quarterly*, 19 February 1975, p. 240. See "House Approves Investigation of CIA, FBI." The Democratic members were Robert Giaimo, Don Edwards, James V. Stanton, Michael Harrington, Ronald Dellums, and Morgan Murphy.

4. Smist, *Congress Oversees the United States Intelligence Community*, p. 161. Dellums is quoted in House Select Committee on Intelligence, *U.S. Intelligence Agencies and Activities: Committee Proceedings*, 2 (Washington, DC: GPO, 1976): 2163.
5. Smist, *Congress Oversees the United States Intelligence Community*, pp. 146-150.
6. *Ibid.*, p. 151.
7. Rhodes appointed Robert McClory, David Treen, and Robert Kasten to the committee. Smist, *Congress Oversees the United States Intelligence Community*, pp. 137-145.
8. Smist, *Congress Oversees the United States Intelligence Community*, p. 161.
9. See *The New York Times*, 5 June 1975, p. 1. The CIA "family jewels" was a 663-page internal report compiled on possible Agency illegal activities. It was ordered by DCI James Schlesinger following the Watergate revelations in 1973. See also Smist, *Congress Oversees the United States Intelligence Community* pp. 152-153.
10. See "House Votes New Intelligence Committee," 18 July 1975, *Congressional Quarterly*, p. 230. See also John Ranelagh, *The Agency: The Rise and Decline of the CIA* (New York: Simon and Schuster, 1987), p. 587.
11. Smist, *Congress Oversees the United States Intelligence Community*, pp. 139 and 161-165. New Democratic members included Les Aspin, Dale Milford, Philip Hays, and William Lehman. All the original Republicans remained on the new committee, and they added James Johnson.
12. Pike, a World War II Marine Corps captain, was a close friend of Nedzi. Both had served in the House for seven terms and both had been on the House Armed Services Committee. Pike had also conducted the House

- investigation of the North Korean seizure of the Pueblo in 1968. In 1975, Pike expressed interest in running for the Senate in 1976.
13. See Smist, *Congress Oversees the United States Intelligence Community*, p. 176.
14. *Ibid.*, pp. 176, 208, and 290.
15. *Ibid.*, p. 290.
16. *Ibid.*, p. 290.
17. See William Colby and Peter Forbath, *Honorable Men: My Life in the CIA* (New York: Simon and Schuster, 1978), pp. 431-432.
18. Rogovin, telephone interview with author.
19. See Smist, *Congress Oversees the United States Intelligence Community*, pp. 157 and 189.
20. See House Select Committee on Intelligence, *U.S. Intelligence Agencies and Activities: Intelligence Costs*, (Washington, DC, GPO, 1975), p. 169.
21. See Smist, *Congress Oversees the United States Intelligence Community*, p. 178.
22. See CIA, *The Pike Report*, (Nottingham, England: Spokesman Books, 1977), pp. 26-94.
23. See House Select Committee on Intelligence, *U.S. Intelligence Agencies and Activities: Intelligence Costs*, (Washington, DC; GPO, 1975), p. 126.
24. *Ibid.*, pp. 110-113.
25. *Ibid.*, pp. 110-113.
26. *Ibid.*, pp. 113-116.
27. *Ibid.*, pp. 115-120. The report also noted that the military intelligence budget did not include expenditures for tactical military intelligence, and that this greatly distorted the intelligence budgets of the Services. See also House Select Committee on Intelligence, *Intelligence Costs*, pp. 109-224.
28. See The Pike Report, pp. 259-260 and House Select Committee on Intelligence, *Intelligence Costs*, pp. 109-224.
29. See Daniel Schorr, *Clearing the Air* (Boston: Houghton Mifflin, 1977), p. 188 and Smist, *Congress Oversees the United States Intelligence Community*, p. 185.
30. See Marvin and Bernard Kalb, *Kissinger* (Boston: Little Brown, 1974), p. 454 and Smist, *Congress Oversees the United States Intelligence Community*, p. 186.
31. See Smist, *Congress Oversees the United States Intelligence Community*, p. 186. Pike later maintained that this agreement did not extend to the committee's final report.
32. For the Pike Committee evaluations of US intelligence relating to the Mid-east war, see the Pike Report, pp. 141-148; for the Tet offensive, see pp. 130-138; on Portugal, pp. 149-154; on India, pp. 155-157; on Cyprus, pp. 158-168; and on Czechoslovakia pp. 139-140.
33. The Pike Report, p. 141.
34. See Colby, statement before the committee, 4 August 1975, House Select Committee on Intelligence, *U.S. Intelligence Agencies and Activities: Risks and Control*, pp. 1771-1773.
35. See Select Committee on Intelligence, *Risks and Control*, pp. 1575-1576.
36. House Select Committee on Intelligence, *Risks and Control*, pp. 1729-1770, 1848-1850, and 1858.
37. House Select Committee on Intelligence, *Performance of the Intelligence Community*, pp. 777-778 and 827-828. The committee issued a subpoena for "40 Committee" records on 6 November 1975.
38. The Pike Report, p. 258.
39. House Select Committee on Intelligence, *Performance of the Intelligence Community*, p. 813.
40. The Pike Report, p. 189.
41. Pike as quoted in Smist, *Congress Oversees the United States Intelligence Community*, p. 197.
42. See Smist, *Congress Oversees the United States Intelligence Community*, p. 207.
43. *Ibid.*, p. 297.
44. *The New York Times*, 26 January 1976, p. 1.
45. See Smist, *Congress Oversees the United States Intelligence Community*, p. 169.
46. See *The New York Times*, 26 January 1976, p. 1.
47. See Smist, *Congress Oversees the United States Intelligence Community*, p. 170.
48. See *Congressional Record—House, 94th Congress, 2nd Session*, 29 January 1976, p. 1639.
49. *Ibid.*, p. 1639.
50. See David E. Rosenbaum, "House Prevents Release of Report," *The New York Times*, 30 January 1976, p. 2.

51. Quoted in Smist, *Congress Oversees the United States Intelligence Community*, p. 162.
52. *Ibid.*, p. 163.
53. See *The Village Voice*, 16 February 1976, p. 1. *The Village Voice* version of the Pike Report, with an introduction by Philip Agee, was published in Britain in 1977. See *CIA, The Pike Report* (Nottingham, England: Spokesman Books, 1977).
54. See Smist, *Congress Oversees the United States Intelligence Community*, p. 171.
55. See The Pike Report, pp. 257-258. Under the Church Committee recommendations and the subsequent establishment of a Senate Select Committee on Intelligence, responsibility for tactical military intelligence remained solely within the jurisdiction of the Senate Armed Services Committee.
56. See *The New York Times*, 10 October 1976, p. 6.